IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CrRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1490 OF 2006.

Shri Surendra H. Shetty ... Applicant
V/s
Kisan Tulsidas Vasita and others ..Respondents.

None for the applicant

Mr. Subhash Jha i/b Law Global for respondents 1 to 5

Mr. S.S. Pednekar for the State.

CORAM : S.C. DHARMADHIKARI, J.

DATE : 13TH OCTOBER, 2006.

P.C.

. None was present on the earlier occasion for the applicant as well. However, notice came to be issued by me to the original accused principally, in the light of the fact, that the learned Judge has enlarged them on bail during the course of investigation.

2. An affidavit in reply is filed by Shri Jha appearing for the original accused/respondent Nos. 1 to 5, pointing out that the alleged incident is false. It a counter case against respondent Nos. 1 to 5, who had lodged a complaint prior to the incident as well thereafter alleging several acts on the part of the

complainant, including creating nuisance and obstruction. He has relied upon the statements in the affidavit filed in reply. He has also contended that the incident is not what is narrated and the true facts are not set out in the present petition.

3. In the light of this and when now the investigations are complete and charge-sheet is filed, no useful purpose will be served by going into the rival contentions. Application for cancellation of bail is rejected. However, all observations made by the learned Judge shall be treated as prima-facie and tentative and shall not influence the out come of the case in any manner. Application is disposed of.

(S.C. DHARMADHIKARI, J.)